

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**JOEVONE M. JORDAN,**

Plaintiff,

**v.**

**Case No. 20-CV-1809**

**DR. JEFFERY MANLOVE,**

Defendant.

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**ORDER**

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On November 8, 2021, *pro se* plaintiff Joevone M. Jordan filed a motion to compel documents related to his case. (ECF No. 19). On November 15, 2021, Jordan filed a motion to stay the amended complaint. (ECF No. 21.) This order resolves those motions.

**1. Motion to Compel (ECF No. 19)**

The court notes that Jordan filed one motion and stated that it applied to both this case and Case No. 20-1807, also before this court. In the future Jordan must treat each case individually and file separate motions in each of his cases.

Jordan requests that the court order the Health Services Unit at Waupun Correctional Institution where he is incarcerated to produce his medical records. He also asks for copies of all filings and correspondences to date in both of his cases. He states that when he was in segregation in October he lost his case materials.

Regarding his medical records, the defendants respond that they never received document requests from Jordan. (ECF No. 25.) Because Jordan never requested the documents, the court denies his motion to compel. To get the records he seeks, Jordan must use the discovery process—specifically, requests for production of documents served on the defendant,. Instructions on how to use the discovery process are contained in the court’s scheduling order dated October 1, 2021 (ECF No. 18) and also in the *pro se* prisoner guide the court sent Jordan in Case No. 20-1807. Considering that Jordan states he lost all of his documents, the court will direct the Clerk’s office to resend the scheduling order.

With regard to the rest of the documents Jordan seeks, the court will include a copy of the docket. Jordan may then write a letter to the Clerk’s office indicating which documents he requires. Jordan should be aware that copy fees apply, and the Clerk’s office will send him an invoice that must be paid prior to the Clerk’s office sending the requested copies..

## **2. Motion to Stay the Amended Complaint. (ECF No. 24.)**

Jordan also filed a motion entitled, “motion to stay the amended complaint.” Jordan appears to be asking for more time to file an amended complaint because he was not aware that his claims because he was not aware at the time he filed his complaint that his claims should have been described claims for deliberate indifference to medical needs instead of just general deliberate indifference claims The court notes that Jordan was allowed to proceed on an Eighth Amendment claim for deliberate indifference to medical needs against the defendant. If his purpose in

amending the complaint is to clarify that he is stating a claim for deliberate indifference to medical needs, an amended complaint is unnecessary.

Also, there is no current deadline in place for amending the complaint. Accordingly, the court will deny Jordan's motion. If Jordan wishes to amend his complaint, he must follow Federal Rule of Civil Procedure 15(a)(2), which states he may file an amended complaint if he either obtains the written consent of the defendant or permission from the court. In other words, Jordan needs to either seek written permission from the defendant or file a motion to amend his complaint for the court's consideration. If Jordan files a motion, he must follow Civil Local Rule 15, which states that a party must include with his motion a complete copy of the amended complaint and explain what changes he is seeking to make to his original complaint with the amended complaint.

**IT IS THEREFORE ORDERED** that Jordan's motion to compel (ECF No. 19) is **DENIED**.

**IT IS FURTHER ORDERED** that the Clerk's office shall mail Jordan a copy of the October 1, 2021 scheduling order (ECF No. 18).

**IT IS FURTHER ORDERED** that Jordan's motion to stay the amended complaint (ECF No. 23) is **DENIED**.

Dated in Milwaukee, Wisconsin this 17th day of December, 2021.

BY THE COURT

A handwritten signature in black ink, reading "William E. Duffin", written over a horizontal line.

WILLIAM E. DUFFIN  
United States Magistrate Judge